

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Minneapolis Firefighters' Relief  
Association, et al.,

Civil No. 08-6324 (PAM/AJB)

Plaintiffs,

v.

**ORDER**

Medtronic, Inc., et al.,

Defendants.

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This matter is before the Court on the Report and Recommendation ("R&R") of United States Magistrate Judge Arthur J. Boylan dated April 24, 2009. In the R&R, Magistrate Judge Boylan recommends that the Court grant one group of Plaintiffs' Motion for Appointment of Lead Plaintiff and Counsel, and deny the City of Los Angeles's competing Motion. There have been no objections to the R&R filed in the time period permitted. Accordingly, **IT IS HEREBY ORDERED** that:

1. The R&R (Docket No. 54) is **ADOPTED**;
2. The Motion by the Iron Workers (Docket No. 16) is **DENIED as moot**, pursuant to stipulation;
3. The Motion of the Institutional Investor Group for Appointment as Lead Plaintiffs and for Approval of its Selection of Counsel (Docket No. 20) is **GRANTED**;
4. The City of Los Angeles' Motion for Appointment as Lead Plaintiff and for

Approval of Lead Plaintiff's Choice of Lead and Liaison Counsel (Docket No. 24) is **DENIED**;

5. The Motion of the Medtronic Institutional Investor Group for Appointment as Lead Plaintiff and for Approval of its Selection of Lead Counsel and Liaison Counsel (Docket No. 29) is **GRANTED**;
6. Any actions brought on behalf of the purchasers of the securities of Medtronic, Inc., and that allege claims that are related to those asserted in this matter and have been previously filed, removed, or transferred, or may subsequently be filed, removed, or transferred, are hereby **CONSOLIDATED** for all purposes;
7. The Medtronic Institutional Investor Group, consisting of the Teachers Retirement System of Oklahoma, Oklahoma Firefighters Pension Fund, Union Asset Management Holding AG, and Danske Invest Management A/S, are hereby **APPOINTED** to serve as lead plaintiff pursuant to 15 U.S.C. § 78u-4(a)(3)(B), for purposes of prosecuting the consolidated litigation;
8. The law firms of Barroway Topaz Kessler Meltzer & Check LLP, Bernstein Litowitz Berger & Grossman LLP, Motley Rice LLC, and Grant & Eisenhofer PA are hereby **APPOINTED** to jointly serve as class counsel. Chestnut & Cambronne PA, are hereby **APPOINTED** liaison counsel for purposes of coordinating litigation activities. Joint counsel are required to confer and establish a formal leadership structure and formulate a general litigation and task assignment plan to be submitted to the Court prior to the pretrial

scheduling conference. In addition, counsel are required to maintain itemized and detailed time records and to categorize time records chronologically by discrete event/activity rather than by attorney. If an event or activity takes place for the benefit of the class, the time entry shall describe the event or activity, list the names of all persons who participated, the time spent by each person, and the requested billable rate that each person seeks to charge, in accordance with a more detailed order concerning attorney fees to be issued hereafter.

Dated: Tuesday, May 26, 2009

*s/ Paul A. Magnuson*  
Paul A. Magnuson  
United States District Court Judge